

UNITED STATES DISTRICT COURT

Eastern District of Arkansas

SEP 06 2013
JAMES W. McCORMACK, CLERK
By: Bart C. H.
DEP CLERK

UNITED STATES OF AMERICA
v.
CHRISTOPHER HUM

Judgment in a Criminal Case

(For Revocation of Probation or Supervised Release)

Case No. 4:06CR00263-01 BSM

USM No. 24256-009

William Owen James, Jr.

Defendant's Attorney

THE DEFENDANT:

- admitted guilt to violation of condition(s) Special, Standard of the term of supervision.
 was found in violation of condition(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
Special	Failure to reside at a residential re-entry center (RRC) for a period of three month and six days	07/08/2013
Standard #7	Failure to refrain from unlawful use of a controlled substance	08/19/2013

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. No.: 2352

08/30/2013

Defendant's Year of Birth: 1977

Date of Imposition of Judgment

Signature of Judge

BRIAN S. MILLER,

U. S. DISTRICT JUDGE

Name and Title of Judge

9-6-2013

Date

DEFENDANT: CHRISTOPHER HUM
CASE NUMBER: 4:06CR00263-01 BSM

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total total term of :

SIXTY (60) MONTHS IMPRISONMENT WITH NO SUPERVISED RELEASE TO FOLLOW.

The court makes the following recommendations to the Bureau of Prisons:

The defendant shall participate in residential substance abuse treatment during incarceration.
The defendant shall serve his term of imprisonment at FCI Forrest City, Arkansas

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

- at _____ a.m. p.m. on _____
 as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- before 2 p.m. on _____
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

V I O L A T I O N M E M O R A N D U M
U.S. PROBATION OFFICE - EASTERN DISTRICT OF ARKANSAS

DATE: August 21, 2013

TO: The Honorable Brian S. Miller
Chief United States District Judge

SUBJECT: CHRISTOPHER JAMES HUM
4:06CR00263-001 BSM
Date of Birth: April 28, 1977
USM No: 24256-009
SSN: 431-65-2352
Address: 6609 Ponderosa
North Little Rock, AR 72116

FROM: Tabitha L. Mitchell
U.S. Probation Officer
Phone No.: 501-604-5277

1. ORIGINAL SENTENCE

On December 8, 2006, the defendant was sentenced for the offense of 21 U.S.C. § 846, conspiracy to manufacture 500 grams or more of methamphetamine, as follows: 48 months Bureau of Prisons, 60 months supervised release, mandatory drug screens, substance abuse treatment, DNA, and \$100 special penalty assessment. Mr. Hum's supervision commenced on January 8, 2010. On February 11, 2013, Mr. Hum's conditions were modified to include residential re-entry center (RRC) placement for a period of six months. All other conditions remained the same. On June 5, 2013, Mr. Hum's supervised release was revoked. He was sentenced to time served, remain on supervised release until January 7, 2015, residential re-entry center (RRC) placement for a period of three months and six days, until September 11, 2013.

2. ALLEGED VIOLATIONS

Special **The defendant shall reside at a residential re-entry center (RRC) for a period of three months and six days, until September 11, 2013.** On July 4, 2013, at approximately 5:58 p.m., Mr. Hum returned to the City of Faith and submitted to a breathalyzer which registered .028. At 6:15 p.m., he submitted to another breathalyzer which registered .024. On July 8, 2013, Mr. Hum was discharged from the City of Faith as a program failure for use of alcohol which is a violation of the program rules.

*True to
boxn CRZ*

Standard #7 **The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except prescribed by a physician.** On August 19, 2013, Mr. Hum reported to the probation office and submitted a urine sample which was positive for amphetamine. He signed an admission of drug use form stating he used Adderall which was not prescribed to him on August 16, 2013.

3. HISTORY OF SUPERVISION

Mr. Hum's term of supervised release commenced on January 8, 2010. He was referred to outpatient substance abuse treatment at Family Service Agency. In December 2010, he was placed in intensive outpatient substance abuse treatment to address issues related to his drug use. He successfully completed substance abuse treatment in July 2011. On August 24, 2012, Mr. Hum was arrested for aggravated assault, and the charge was reduced to a misdemeanor. This case is pending in Sherwood, Arkansas, District Court, and his next court date is scheduled for October 9, 2013. He tested positive for illegal substances on several occasions since January 2013. As a result, his conditions were modified to include residential re-entry center (RRC) placement for a period of six months in February 11, 2013. His term of supervised release was revoked on June 5, 2013, and he was ordered to remain at a residential re-entry center (RRC) until September 11, 2013. As noted above, he was discharged from the City of Faith on July 8, 2013. Mr. Hum has maintained stable employment since his term of supervised release commenced.

4. CUSTODY STATUS

The defendant is on supervised release. Bill James has been retained as defense counsel. The Government is represented by Assistant U.S. Attorney Anne Gardner.

REVOCATION INFORMATION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS

UNITED STATES V. CHRISTOPHER JAMES HUM, DOCKET NO. 4:06CR00263-001 BSM

GRADE OF VIOLATION:

C ✓
II ✓

CRIMINAL HISTORY:

	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>
CUSTODY:	NMT 5 years (Class A felony) <i>Up mos. go p w/in supervised release</i>	✓ ✓ 4 - 10 months The Court may revoke, modify, or extend the term of supervised release for a grade C violation.
SUPERVISED RELEASE	NMT 5 years minus any term of imprisonment	✓ Plus 66 days of unserved community confinement (USSG § 7B1.3(d)) NMT 3 years minus any term of imprisonment
UNSATISFIED CONDITIONS	66 days community confinement	66 days community confinement
HOME DETENTION COMMUNITY CONFINEMENT	Applicable	Applicable If imposed, home detention or community confinement may be imposed for any portion of the minimum term.

The United States Sentencing Commission has issued policy statements which are found in Chapter VII of the United States Sentencing Commission Guidelines Manual. 18 U.S.C. § 3553(a)(4) requires that the Chapter VII policy statements shall be considered by the Court upon revocation. The policy statements are advisory and are not binding on the Court.

SENTENCING RECOMMENDATION

United States v. CHRISTOPHER JAMES HUM
Docket No. 4:06CR00263-001 BSM
U.S. District Court, Eastern District of Arkansas

It is respectfully recommended that sentence be imposed as follows:

Mr. Hum shall be committed to the custody of the Bureau of Prisons for imprisonment for ten months with no supervised release to follow.

✓ The Court recommends the defendant participate in residential or ~~nonresidential~~ substance abuse treatment during incarceration.

Justification

Mr. Hum committed another violation approximately a month after his supervised release was revoked. He was given an opportunity to be sentenced to a short period of incarceration during his revocation hearing, and he refused the offer with the understanding that any future violations will result in a lengthy period of incarceration. The above-noted violation is a direct violation of the City of Faith program rules, and Mr. Hum was well aware of this information. His behavior not only violated program rules, but it also placed the community in danger as he drove to the facility under the influence of alcohol. It is respectfully recommended that Mr. Hum be sentenced to a period of incarceration to promote respect for the law.

Respectfully,

by



Tabitha L. Mitchell
U.S. Probation Officer

Approved by:



Debra Stinson
Supervising U.S. Probation Officer